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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,459	02/08/2002	Naoki Kuwata	MIPFP007	9960

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EXAMINER

BAKER, CHARLOTTE M

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,459

Applicant(s)

KUWATA ET AL.

Examiner

Charlotte M. Baker

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/02/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. The claim objection to claim 8 is hereby withdrawn.
2. The claim objection under 37 C.F.R. § 1.75(d)(1) is hereby withdrawn.
3. The claim rejection of claim 9 under 35 U.S.C. § 101 is hereby withdrawn.
4. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. (6,384,928) in view of Inoue et al. (6,273,535).

Regarding claim 1: Nagasawa et al. disclose said image processing system (Fig. 1) being connected with a printing device (Fig. 1, printer 4-7) and a shooting device (Fig. 1, video camera 3) via a network (Fig. 1, I/F 1a-7a), a receiver module (Fig. 1, I/F 2a) that receives input of the picture data (digital color still image, col. 3, ln. 18-19) generated in said shooting device (Fig. 1, video camera 3) via the network (Fig. 1, I/F 1a-7a); an image processing module (Fig. 2, color processing unit 17) and conversion into a data format that allows supply to said printing device (Fig. 1, printer 4-7) (col. 3, ln. 49-54), and thereby generates print data (Fig. 1, output of image processing apparatus 2); and a transmission module (Fig. 1, I/F 2a) that transmits the print data

(Fig. 1, output of image processing apparatus 2) to said printing device (Fig. 1, printer 4-7) via the network (Fig. 1, I/F 1a-7a) and causes said printing device (Fig. 1, printer 4-7) to print a processed image (Fig. 1, output of printer 4-7).

Nagasawa et al. fail to specifically address image processing control data being used to control details of image processing on the picture data at the time of outputting an image.

Inoue et al. disclose image processing control data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19 and col. 5, ln. 11-22) being used to control details of image processing on the picture data (col. 4, ln. 12-19 and col. 5, ln. 11-22) at the time of outputting an image (col. 4, ln. 36-65); image processing control data associated with the picture data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19 and col. 5, ln. 11-22); that causes the picture data to be subjected to image processing based on the image processing control data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19; col. 5, ln. 11-22 and col. 4, ln. 36-65).

It would have been obvious to a person of ordinary skill in the art at the time of the rejection to include the image processing control data in order to improve the print quality and print speed as a whole as suggested by Inoue et al. (col. 4, ln. 61-65).

Regarding claim 2: Nagasawa et al. disclose an image input module (Fig. 1, I/F 2a) that receives input of the picture data (digital color still image, col. 3, ln. 18-19); an image processing module (Fig. 2, color processing unit 17) that causes the picture data to be subjected to image processing (col. 3, ln. 49-54), and thereby generates image output data (Fig. 1, printer 4-7) (col. 3, ln. 49-54); and a transmission module (Fig. 1, I/F 2a) that transmits the image output data (Fig. 1, output of image processing apparatus 2) to an image output device (Fig. 1, printer 4-7)

connecting with said image processing system (Fig. 1) via a network (Fig. 1, I/F 1a-7a) and causes said output device (Fig. 1, printer 4-7) to output a processed image (Fig. 1, output of printer 4-7).

Nagasawa et al. fail to specifically address image processing control data being used to control details of image processing on the picture data at the time of outputting an image.

Inoue et al. disclose image processing control data associated with the picture data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19 and col. 5, ln. 11-22), the image processing control data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19 and col. 5, ln. 11-22) being used to control details of image processing on the picture data (col. 4, ln. 12-19 and col. 5, ln. 11-22) at a time of outputting an image (col. 4, ln. 36-65); based on the image processing control data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19; col. 5, ln. 11-22 and col. 4, ln. 36-65).

Regarding claim 3: Nagasawa et al. in view of Inoue et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose wherein said image processing module (Fig. 2, color processing unit 17) further carries out conversion of the picture data (digital color still image, col. 3, ln. 18-19) into a data format (characteristic) that allows supply to said image output device (Fig. 1, printer 4-7) (col. 3, ln. 49-54).

Regarding claim 4: Nagasawa et al. in view of Inoue et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose wherein said image processing module (Fig. 2, color processing unit 17) changes over details of the conversion corresponding to a type (characteristic) of said image output device (Fig. 1, printer 4-7) (col. 3, ln. 49-54).

Regarding claim 5: Nagasawa et al. in view of Inoue et al. satisfy all the elements of claim 2.

Nagasawa et al. further disclose wherein the picture data (digital color still image, col. 3, ln. 18-19) is associated with output specification information (characteristics) (col. 3, ln. 49-54) that specifies output style from said image output device (Fig. 1, printer 4-7), and said transmission module (Fig. 1, I/F 2a) controls the output style from said image output device (Fig. 1, printer 4-7) based on the output specification information (characteristics) (col. 3, ln. 49-54) (col. 7, ln 6-20).

Regarding claim 8: The structural elements of apparatus claim 2 perform all of the steps of method claim 8. Thus, claim 8 is rejected for the same reasons discussed in the rejection of claim 2.

Regarding claim 9: Arguments analogous to those stated in the rejection of claim 2 are applicable. A recording medium that stores a computer program is inherently taught as evidenced by CPUs (11, 22) (Nagasawa et al.) and various memories stored therein.

Regarding claim 10: Nagasawa et al. disclose an image input module (Fig. 1, I/F 2a) that receives input (digital color still image, col. 3, ln. 18-19); an image processing module that causes picture data to be subjected to image processing; a transmission module that transmits the image output data to the output device.

Nagasawa et al. fail to specifically address image processing control data and output specification information.

Inoue et al. disclose an image file containing the picture data, image processing data associated with the picture data, and an output specification information (printing control information) specifying the output device as a destination for output (col. 4, ln. 6-56), the image

Art Unit: 2625

processing control data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19 and col. 5, ln. 11-22) to be used to control details of image processing on the picture data (col. 4, ln. 12-19 and col. 5, ln. 11-22) at the time of outputting an image (col. 4, ln. 36-65); based on the image processing control data (Figs. 1-2, image additional information 11 and col. 4, ln. 12-19 and col. 5, ln. 11-22), and thereby generates image output data (col. 4, ln. 36-65); according to the output specification information (col. 4, ln. 6-56).

It would have been obvious to a person of ordinary skill in the art at the time of the rejection to include the image processing control data and output specification information in order to improve the print quality and print speed as a whole as suggested by Inoue et al. (col. 4, ln. 61-65).

Regarding claim 11: Nagasawa et al. in view of Inoue et al. satisfy all the elements of claim 10.

Nagasawa et al. fail to specifically address output specification information.

Inoue et al. disclose wherein the output specification information (printing control information) includes information specifying a type of the output device (Fig. 3, printer type 14-10).

Regarding claim 12: The structural elements of apparatus claim 10 perform all of the steps of method claim 12. Thus, claim 12 is rejected for the same reasons discussed in the rejection of claim 10.

Regarding claim 13: Arguments analogous to those stated in the rejection of claim 10 are applicable. A recording medium that stores a computer program is inherently taught as evidenced by CPUs (11, 22) (Nagasawa et al.) and various memories stored therein.

Art Unit: 2625

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. in view of Inoue et al. and further in view of Bishay et al. (6,256,350).

Regarding claim 6: Nagasawa et al. in view of Inoue et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose the image processing (Fig. 1, image processing apparatus 2).

Nagasawa et al. fail to specifically address YcbCr to RGB color space conversion.

Bishay et al. disclose color space conversion of the YcbCr color space into an RGB color space (col. 5, ln. 30-33).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the YcbCr to RGB color space conversion in order to display video frames on a display as suggested by Bishay et al. (col. 5, ln. 30-33).

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. in view of Inoue et al. and further in view of Bishay et al. and further in view of Parulski (6,937,997).

Regarding claim 7: Nagasawa et al. in view of Bishay et al. satisfy all the elements of claim 6.

Nagasawa et al. in view of Bishay et al. fail to specifically address sRGB color space.

Parulski disclose wherein the color space conversion into a predetermined RGB space (JPEG) that has a wider range of color reproduction than an sRGB color space (col. 10, ln. 26-30).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide improved color of the final picture.

Examiner interpreted JPEG to yield a wider range of color reproduction than sRGB because no further explanation exists in the Specification.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


CMB



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